

Senator Reny, Representative Hepler, and esteemed members of the committee on Environment and Natural Resources.

My name is Alex de Koning, and I am part owner, and CEO of Hollander and deKoning Shellfish Farms in Bar Harbor Maine which employs 17 people year round. I moved to the US at 14 years old from the Netherlands where my family has been farming mussels since the 1770's, I graduated from UMaine with an engineering degree and at age 21 I became a US citizen. I am happy to provide testimony to you today in support of LD2065 "An Act to Amend Maine's Aquaculture Leasing Laws."

Unfortunately there has been a vocal minority in the state opposing the slow and steady continued growth of sustainable aquaculture. By increasing the number of signatures that forces the department to hold a hearing on an experimental lease application from 5 to 25, it reduces the outsized influence these few activists have on the work the department can get done. To balance that this bill increases the timeline for comments to be submitted from 14 to 30 days, so if there is a legitimate concern it should be an easy bar to meet, and protects the public's right to provide input.

An important point to emphasize is that these signatures are to force the department to hold a hearing, it does nothing to reduce the department's authority to require a hearing if they deem it necessary, merely leaves the power with the experts instead of activists.

The two concerns I have that I would ask you to modify in working session are as follows:

This bill requires the department to consider any new uses of the area during the conversion from a standard to an experimental lease. Unfortunately, it is my view that it is highly likely that opponents of a particular lease that don't want to see working waterfront in front of their properties are likely to use this consideration to attempt to block the conversion to a standard lease. That could be done by modifying their travel path to appear impacted by the lease (see Jerri Bowers testimony on our lease application), or to have as many people as possible apply for recreational lobster licenses to increase the number of traps surrounding the lease whether or not they actually catch any lobsters. As the experimental lease would be in place first, it should take precedence over new uses in the area.

Secondly, in Sec. 11. 12 MRSA §6072-A, sub-§20-A (page four lines 23-34) It is established that a farmer may continue to farm on the experimental lease while their application for a standard lease goes through the process until a decision is reached. This applies only to the conversion from an experimental lease to a standard lease of the exact same size, and activity. It is my view this should also apply for an experimental lease that the applicant wants to convert to a larger size standard lease, which means section 6072 subsection 12D would not apply. My reasoning for this is that for an experimental lease to do its job you have to use it to learn before applying for a standard lease. As it stands now, the term for an experimental lease (3 years) is shorter than the time between applying for a standard lease and getting a decision, though I hope that is in the process of changing. Perhaps it is worth adding some language to either clarify that the applicant may keep farming the small experimental lease while a larger standard lease goes through the process, or that the experimental lease may be renewed as long as the applicant has a standard lease application in process that encompasses the same lease area.

I thank you for your time, and as always please feel free to reach out to me at [Hollander.dekoning@gmail.com](mailto:Hollander.dekoning@gmail.com), or my cellphone (207) 479-4346. Thank you.